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FOREIGN SERVICE DESPATCH

Action Assigned to

460.509/8-951

FROM EXCON, PARIS

386
DESP. NO.

TO : THE DEPARTMENT OF STATE, WASHINGTON

August 9, 1951

REF :

Date of Action

AUG 10 1951

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	REC'D AUG 14	OTHER COMM ECA	Name of Officer AU-16	Direction to DC/R DEPARTMENT OF STATE

SUBJECT: COCOM Munitions List

1. In accordance with Department instructions, the U.S. delegate has raised in COCOM a number of questions related to the "Reference" Munitions List (COCOM Doc 28). Some of these questions were of general significance; others concerned the coverage of specific aviation items. A summary of the earlier discussions has been supplied previously (EMDESP 3627, June 18). The results of further discussions are summarized below.

2. Subject to the qualifications in paragraph (3) below, the COCOM delegates have now confirmed the following with respect to their Governments' control of "munitions" exports to the Soviet Bloc:

- Items on their individual Munitions Lists are embargoed.
- Their individual Munitions Lists cover everything covered by the COCOM Munitions List and, in some cases, may cover more.
- They have no outstanding prior commitments to the Soviet Bloc for munitions items. Therefore there is no problem of "prior commitment" exceptions from embargo.
- The regular monthly reports to COCOM on strategic exports to the Soviet Bloc, Austria, Finland, and Yugoslavia should show any exports of munitions items to those destinations.
- No distinction is made as between civil and military types of aviation items covered by the Munitions Lists.
- The following three aviation items are included among those under embargo as covered by either the COCOM Munitions List or the individual Munitions Lists (in addition to partial coverage by International List I): navigational aids; radio equipment; airborne equipment.

(NOTE: Confirmation of embargo coverage of aircraft and aircraft components, etc., has been previously reported (COCOM Doc 384 - EMDESP 3539, June 8). The

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Department' follow-up inquiry (DEPT A-124,
July 25) concerning French and Netherlands
aircraft-repair work has been reported on
in EMBDESP 345, August 7.)

3. The qualifications on the above statements are as follows: *460.509/7-2551* *E action change 2* *EHK (RA)*

- a) Two delegations did not actively participate in the discussions. The German delegate refrained since munitions control in Germany is a HICOG matter. The Portuguese delegate refrained since his government joined CG/COCOM only recently and has not yet become sufficiently familiar with the background and agreements to take positions. The Portuguese delegate has agreed to ascertain whether his government has a Munitions List and, if so, to supply copies.
- b) The U.K. comments were of an "interim" nature. U.K. technicians have been studying the U.K. and COCOM Munitions Lists to determine whether there are any important divergencies warranting revision of the COCOM List. So far they have found no such divergencies but have not completed their study. If such divergencies are found, the U.K. will notify COCOM.
- c) With respect to the COCOM Munitions List technical data item (Group D), several delegates stated that such data are not under embargo control as munitions items but are under whatever controls their governments have on technical data. (According to the first paragraph of DEPTTEL 7085, June 26, the U.S. situation seems to be the same.) The general subject of controlling technical data is scheduled for COCOM discussion September 10 in connection with Doc 370.
- d) The term "airdrome equipment" raised questions of meaning and scope. They were generally disposed of on the basis that other items on the COCOM Munitions List also raise the same kind of questions and that any questions on this

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particular item should be handled the same as those on the other items. The U.K. delegate stated that his government embargoes all airdrome equipment it considers militarily important.

4. The final COCOM report on these discussions has not yet been completed but will be forwarded when available.

5. The discussion indicated complete fundamental agreement on embargo principles and coverage of munitions. The only problem seemed to be in identification of specific items covered. On the one hand, the COCOM Munitions List definitions are highly generalized and, in addition, very broad in their literal coverage. On the other hand, despite such generalized coverage, considerable interpretative stretching was necessary to find coverage for some particular items (e.g., airdrome equipment). In addition, the wording of some definitions is unclear and obscures their intent (e.g., B-6 and its subparagraphs). As a result, some delegates experienced difficulties in obtaining confirmation that particular items are included, especially items identified in general terms (e.g., "airdrome equipment"), and expressed the hope that there would not be a continuing series of such requests.

6. Clarification would be helpful both to the U.S. and to the other PCs. However, it does not seem desirable to do this by seeking to convert the COCOM Munitions List into a detailed itemization like the International Lists. Instead, the U.S. delegation suggests it be accomplished by a minimum amount of generalized amendment and by a supplementary interpretative process. More specifically, and in response to the inquiry in paragraph 5 of DEPTEL 7034, June 22, it is suggested that:

- a) The Department have the COCOM Munitions List reviewed to ascertain the minimum changes necessary to (i) correct any basic deficiencies in general coverage (e.g., radar - see 2nd para. of EMBTEL 7085, June 26), and (ii) clarify unclear existing provisions (e.g., B-6*).

* The USDEL understands that, in E-6, "military layouts ..." and subparagraphs a-d are intended to define "equipment for the utilization of arms..."

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- b) The Department develop, for presentation to COCOM, a comprehensive itemized interpretative list, with particular attention to specifying items on which further assurance of coverage is particularly desired (e.g., specific kinds of aviation items). Where possible, the limitations on coverage of generalized items might be indicated - e.g., to meet such questions as whether "airborne equipment" includes administrative equipment used at airbases. Such a list might be developed as an up-to-date consolidation of the itemizations in the MD Bulletins (copies of which were forwarded informally by the Department on June 25) but tied in with the definitions on the COCOM Munitions List.
- c) The U.S. delegate then present the revision proposals to COCOM for adoption and the interpretative listing for COCOM comment and possibly adoption. Such presentation would be coordinated with whatever modification proposals develop from the current U.K. study.

ACTION REQUESTED:

Department comment on paragraph 6 above.

Sidney B. Jacques
Sidney B. Jacques
Attaché

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